IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MRS. JUSTICE K.HEMA

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

**WP(Crl.).No. 104 OF 2007(S)**

PETITIONER:

HRISHIKESAN NAIR S. @ HRISHI SANKAR,
AYKKARATHAZHATHU HOUSE, KUDAMALOOR P.O.,
KOTTAYAM.

BY ADV. SRI.V.K.SUNIL

RESPONDENTS:
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1. THE STATE OF KERALA REPRESENTED BY ITS SECRETARY, DEPARTMENT OF HOME, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DISTRICT SUPERINTENDENT OF POLICE, KOTTAYAM.

3. THE DY.SUPERINTENDENT OF POLICE, PALA.

4. THE S.I. OF POLICE, KOTTAYAM WEST POLICE STATION.

5. JAMES, KADAMATTU HOUSE, AYMANAM P.O., KOTTAYAM.

6. JOICE JAMES, W/O.JAMES OF -DO- -DO-

GOVERNMENT PLEADER SRI. SANTOSH KUMAR.

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 13/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**WP(CRL) 104/2007**

EXT.P1 TRUE COPY OF THE IDENTITY CARD OF THE PETITIONER.

EXT.P2 TRUE COPY OF TE APPLICATION FILED BY TE PETITIONER BEFORE THE JFMC-III, KOTTAYAM FOR ISSUING A SEARCH WARRANT.

RESPONDENTS' EXHIBITS:

NIL.

// TRUE COPY //

P.S. TO JUDGE.

KNC/-

P.R. RAMAN & K. HEMA, JJ.

W.P.(CRL) NO. 104 OF 2007

DATED THIS, THE 13TH DAY OF JUNE, 2007.

J U D G M E N T

Raman, J.

Ms. Neethu James, the alleged detenue is stated to be under the illegal custody of her parents, who are Respondents 5 and 6 in the writ petition. Petitioner alleges that she was forcefully taken by the 5th respondent, her father, from Fr. Muller's College of Nursing, Kankanadi, Mangalore, where she was working as an Assistant Lecturer. Petitioner is a journalist who fell in love with her and according to him, they have given notice under the Special Marriage Act for their marriage.

2. This Court by its order dated 2.5.200, directed the third respondent, the Deputy Superintendent of Police to depute a woman police constable for making discreet inquiries about the matter. Accordingly, a signed statement of the alleged detenue as recorded by the deputed officer was filed along with a report from the Deputy Superintendent of Police.

3. we have gone through the said statement and we find that Ms. Neethu James is not under the illegal custody of her parents, Respondents 5

and 6, as alleged in the writ petition and she is a free person. Learned counsel for the petitioner was served with a copy of the statement and he submits, on instruction, that based on the statement, he does not want to press the writ petition.

Accordingly, the writ petition is closed.

P.R. RAMAN,
(JUDGE)

K. HEMA,
(JUDGE)

knc/-